

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHAEL HOLLIDAY,

Petitioner,

vs.

DWIGHT NEVENS, et al.,

Respondents.

2:10-cv-00534-JCM-PAL

ORDER

Petitioner submitted a habeas corpus petition pursuant to 28 U.S.C. § 2254, but neither paid the required filing fee nor filed an appropriate motion for leave to proceed *in forma pauperis*, despite the court's order giving petitioner an additional thirty days to either submit an application or pay the \$5 filing fee. Thereafter the petition was dismissed without prejudice and the case closed. Petitioner has now filed a motion for appointment of counsel (ECF No. 5) which shall be **denied** as this matter is closed.

**IT IS SO ORDERED.**

Dated, this 29 day of September 2011.

  
UNITED STATES DISTRICT JUDGE